THE HON'BLE MR JUSTICE K.C. BHANU

Writ Petition No.17711 of 2005

Between:

Kandala Rajaiah

..... PETITIONER

AND

1.The Director General of Police, Government of A.P., Hyderabad and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE K.C. BHANU

Writ Petition No.17711 of 2005

ORDER:

Seeking a declaration that the action of the third respondent in not investigating Crime No.38 of 2005 registered under Section 3 (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 **(**for short 'the Act') read with Section 323 IPC, is arbitrary and illegal, the present writ petition has been filed.

It is the case of the petitioner that he belongs to Scheduled Caste and eke-out his livelihood by cultivation. On 19.07.2005, while he was proceeding with a tractor to plough the field, the fifth respondent herein intercepted and threatened him with dire consequences, and also abused him in his caste name. Immediately, the petitioner lodged a complaint before the fourth respondent. Even though the fourth respondent registered a case in Crime No.38 of 2005 under Section 3(x) of the Act read with Section 323 IPC, the third respondent, who is the competent authority to investigate into the matter, has not taken any action so far. Hence, the present writ petition.

A counter affidavit has been filed by the Deputy Superintendent of Police, the third respondent herein, stating that the said CC is entrusted to him on 21.07.2005 for investigation. Accordingly, he took up the investigation, visited the scene of offence and also examined four witnesses and that the investigation is still pending.

Heard both sides and considered the material on record.

Since the grievance of the petitioner is attended to by a competent Police Officer, no further orders are required to be passed in this writ petition. Hence, the writ petition is disposed of with a

direction to the third respondent to expedite the investigation and file charge sheet before the competent Court. No costs.

29.08.2005

VGB